REMARKS/ARGUMENTS

Claims 1, 11, 15, 20, 21, and 34 have been amended. Claims 3-10, 12-14, 16-19, 22-33 and 35-42 remain unchanged.

The above claim amendments are fully supported by the original specification as filed, and do not contain any new matter.

Independent claims 1 and 20 have been amended to emphasize that the IP database is an electronic database and that the IP database is connected to the previously existing enterprises and the new holding company via a network system.

The Examiner rejected independent claim 1 under 35 U.S.C. 101 as being directed to non-statutory matter. Claim 1 was amended to emphasize that the process (or method) of generating a new business requires the presence of an electronic database, which is provided by a computer system, as shown in FIG. 4. Furthermore, the process requires a network connection between the electronic database, the holding company and the previously existing enterprises, also shown in FIG. 4. Accordingly, the invention describes a process of generating new businesses that includes computer systems and network systems for carrying out the described functions. The process provides for previously existing enterprises that may be located in any part of the world, the ability to form a holding company and to utilize an electronic database to establish a framework for generating new business by utilizing previously developed IP assets. Accordingly, the invention of claim 1describes a new and useful process as set forth in 35 U.S.C. 101, and as such should be allowed.

The Examiner rejected independent claims 1 and 20 under 35 U.S.C. 112, as failing to comply with the enablement requirement. The Examiner questions what are the tools and steps used to carry out the step of deciding whether to form a new enterprise. A decision is formed based on meeting certain criteria rather than using tools and steps for achieving a desired target or goal. The set of criteria used for making the decision is described in

the detailed description of the specification (page 10 line 30 to page 11 line 6), in the summary of the invention (page 3, lines 15-20) and claim 11 of the invention. Claim 1 was amended to point out that the decision is based on a set of criteria and the set of criteria is defined in claim 11. Accordingly, this rejection is believed to be overcome.

The Examiner rejected independent claim 1 because the step of "deciding whether to form" a new enterprise is vague. Claim 1 was amended so that this vagueness is removed. The amended claim includes the step of " deciding to form a new enterprise based on a set of criteria" and the criteria are defined in claim 11. The Examiner also states that the relationship of the first application to the second application is not clear. Referring to page 11 lines 27-31 of the specification, an example is described where "company A 145 develops air traffic control visualization technology (i.e., a first application)" and " company B 150 develops this intellectual property --- into a virtual online shopping tool (i.e., a second application)". Claim 1 was amended to include that the second application is different from the first application. Claim 20 was similarly amended. Based on the above mentioned amendments it is believed that the vagueness of claims 1 and 20 is overcome.

The Examiner rejected independent claims 1 and 20 under 35 U.S.C. 103 (a) as being unpatentable over R1 (Pegasus article) in view of R2 (Financial Times article) and R3 Article SmartPatents. In R1 article Pegasus Communication Corporation announced that it created a new holding company by reorganizing its existing businesses. Reorganizing a business is not the same as forming a new holding company of previously existing independent businesses. "Pegasus is effecting this reorganization to increase its flexibility to pursue new activities and initiatives through other subsidiaries of the new holding company rather than through the existing company" as stated in the abstract. There is no indication that Pegasus, applies step b) of depositing at least one intellectual property asset previously developed for a first application within one of said previously existing enterprises in a common electronic database, and/or step c) of evaluating and developing a second application for said at least one IP asset, wherein said second application is different from said first application, i.e., reusing previously developed IP

assets to develop new applications. In R2 the importance of making the most of IP assets is emphasized. However, R2 does not teach step a) of forming a holding company, step b) of depositing at least one intellectual property asset previously developed for a first application within one of said previously existing enterprises in a common electronic database, and/or step c) of evaluating and developing a second application for said at least one IP asset, wherein said second application is different from said first application, i.e., reusing previously developed IP assets to develop new applications. The SmartPatent article describes a "patent database software that assists firms in protecting and optimizing use of IP for profitability", i.e., it is a tool for evaluating IP assets. The SmartPatent article does not teach step a) of forming a holding company, step b) of depositing at least one intellectual property asset previously developed for a first application within one of said previously existing enterprises in a common electronic database, and/or step c) of evaluating and developing a second application for said at least one IP asset, wherein said second application is different from said first application, i.e., reusing previously developed IP assets to develop new applications, and step d) of deciding to form a new enterprise. Accordingly, it is believed that independent claims 1 and 20 define an invention, which is unobvious and patentable over R1 or R2, or R3 taken singularly or in combination and as such should be allowed.

Claims 2-19 and 39-40 depend directly or indirectly upon claim 1 and as such should also be allowed.

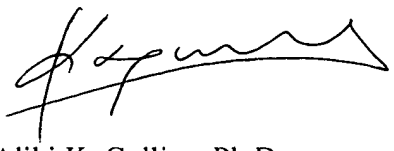
Claims 21-38 and 41-42 depend directly or indirectly upon claim 20 and as such should also be allowed.

Therefore, it is believed that all claims as amended define an invention, which is patentable and unobvious over R1 or R2 or R3 taken singularly or in combination.

In view of the above, it is submitted that all claims are in condition for allowance. Reconsideration of the rejections is requested. Allowance of claims 1-42 at an early date is solicited.

If this response is found to be incomplete, or if a telephone conference would otherwise be helpful, please call the undersigned at 617-558-5389

Respectfully submitted,

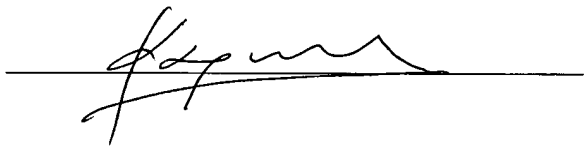


Aliki K. Collins, Ph.D.
Reg. No. 43,558

AKC Patents, 215 Grove Street, Newton, MA 02466
TEL: 617-558-5389, FAX: 617-332-0371

Certificate of Mailing

Date of Deposit 4/21/2004

Name: Aliki K. Collins, Ph.D. Signature 

I hereby certify under 37 CFR 1.10 that this correspondence is being deposited with the United States Postal Service as " First Class Mail" in an envelope with sufficient postage on the date indicated above and is addressed to the Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450